

November 2, 2004

Administrative Judge Paul B. Abramson, Chair
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Mail Stop: T-3F23
Washington, D.C. 20555-0001

Administrative Judge David L. Hetrick
8740 East Dexter Drive
Tucson, AZ 85715

Administrative Judge Anthony J. Baratta
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Mail Stop: T-3F23
Washington, D.C. 20555-0001

In the Matter of
EXELON GENERATION COMPANY, LLC
(Early Site Permit for Clinton ESP Site)
Docket No. 52-007-ESP

Dear Administrative Judges:

Pursuant to 10 C.F.R. § 2.336(d), the NRC staff hereby provides notice that the Hearing File for this proceeding has been updated. A supplement to the Hearing File Index, listing the additions to the Hearing File, is attached. Also attached is the Affidavit of Nanette V. Gilles. As required by 10 C.F.R. § 2.336(b)(5), the staff is also producing an update to the privilege log at this time. In addition, the staff shall preserve and maintain all privileged documents during the pendency of this proceeding.

Respectfully submitted,

/RA/

Shana Zipkin
Counsel for NRC Staff

Enclosures: Hearing File Index
Affidavit of Nanette V. Gilles
Privilege logs

HEARING FILE - ATTACHMENT A

Accession Number	Document Date	Title/Description
ML042960057	10/11/2004	Response to Request for Additional Information (RAI) Letter No. 9 - Exelon Early Site Permit (ESP) Application for the Clinton ESP Site.
ML042960143	8/22/2004	"Engineering Geologic and Geotechnical Analysis of Paleoseismic Shaking Using Liquefaction Effects: Part II Field Examples."
ML042960152	8/31/1997	"Establishing Seismic Design Criteria to Achieve an Acceptable Seismic Margin."
ML042960114	10/11/2004	"Geotechnical Analysis of Paleoseismic Shaking Using Liquefaction Features: Part I. Major Updating of Analysis Techniques."
ML042960121	1/30/2004	"Geotechnical Analysis of Paleoseismic Shaking Using Liquefaction Part I. Major Updating of Techniques for Analysis."
ML042960158	8/12/1999	"Overview or Methods for Seismic PRA and Marein Analysis Including Recent Innovations."
ML042960130	8/6/2004	"The Role of Paleoliquefaction Studies in Performancebased Earthquake Engineering in the Central-eastern United States."
ML042960106	10/11/2004	Response to Request for Additional Information (RAI) Letter No. 7 - Exelon Early Site Permit (ESP) Application for the Clinton ESP Site.

October 26, 2004

PRIVILEGE LOG
ATTACHMENT F- PROPRIETARY

The following documents are being withheld by the NRC Staff as "PROPRIETARY" pursuant to 10 C.F.R. § 2.336(b)(5).

Accession Number	Author Name/Affiliation:	Title/Description:	Document Date	Document Type	Addressee / Addressee Affiliation	Comment	Page Count
ML042960116	, Exelon Generation Co, LLC, Exelon Nuclear	Drawing, Figure 3.2-1, "Ultimate Heat Sink Schematic," from Site Safety Analysis Report for the EGC Early Site Permit.	10/11/2004	Drawing	,	Files contained on CD-ROM submitted with document were added to ADAMS. Copies of the CD-ROM are available to NRC staff from the NRC File Center.	1
ML042960112	, Exelon Generation Co, LLC, Exelon Nuclear	Drawing/Map, Figure 1.2-4, "ESP Site Development Details," from Site Safety Analysis Report for the EGC Early Site Permit.	10/11/2004	Drawing, Map	,	Files contained on CD-ROM submitted with document were added to ADAMS. Copies of the CD-ROM are available to NRC staff from the NRC File Center.	1

Accession Number	Author Name/Affiliation:	Title/Description:	Document Date	Document Type	Addressee / Addressee Affiliation	Comment	Page Count
ML042960105	Kray M C, Exelon Nuclear	Response to Request for Additional Information (RAI) Letter No. 6 - Exelon Early Site Permit (ESP) Application for the Clinton ESP Site.	10/11/2004	Legal-Affidavit, Letter	, NRC/Document Control Desk	Files contained on CD-ROM submitted with document were added to ADAMS. Copies of the CD-ROM are available to NRC staff from the NRC File Center.	56
ML042960118	, CH2M Hill	Technical Editing Guidance Reference Source Documentation, "Database File of Evaporation Data, 1963-2002."	12/31/2002	Report, Technical	,	Files contained on CD-ROM submitted with document were added to ADAMS. Copies of the CD-ROM are available to NRC staff from the NRC File Center.	16

Accession Number	Author Name/Affiliation:	Title/Description:	Document Date	Document Type	Addressee / Addressee Affiliation	Comment	Page Count
ML042960123	, CH2M Hill	Technical Editing Guidance Reference Source Documentation, "Database File of Rainfall Data, 1910-2002."	12/31/2002	Report, Technical	,	Files contained on CD-ROM submitted with document were added to ADAMS. Copies of the CD-ROM are available to NRC staff from the NRC File Center.	308

October 27, 2004

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)	
)	
EXELON GENERATION COMPANY, LLC.)	Docket No. 52-007-ESP
)	
(Early Site Permit for Clinton ESP Site))	ASLBP No. 04-821-01-ESP
)	

AFFIDAVIT OF NANETTE V. GILLES CONCERNING
MANDATORY DISCLOSURE REQUIREMENT OF 10 C.F.R. § 2.336(d)

I, Nanette V. Gilles, being first duly sworn, do hereby state as follows:

1. I am employed as a Senior Project Manager in the New, Research and Test Reactors Program of the Division of Regulatory Improvement Programs in the Nuclear Regulatory Commission's ("NRC") Office of Nuclear Reactor Regulation. I serve as project manager for the NRC's review of the early site permit application submitted by Exelon Generation Company, LLC, at issue in this proceeding.
2. I hereby certify that all relevant materials required to be disclosed pursuant to 10 C.F.R. § 2.336 (b) and (d) in the captioned proceeding have been disclosed, and that the disclosures are accurate and complete as of the date of this certification.
3. I hereby certify that the foregoing is true and complete to the best of my knowledge, information and belief.

/RA/

Nanette V. Gilles

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)	
)	
EXELON GENERATION COMPANY, LLC.)	Docket No. 52-007-ESP
)	
(Early Site Permit for Clinton ESP Site))	ASLBP No. 04-821-01-ESP

CERTIFICATE OF SERVICE

I hereby certify that copies of the NRC Staff letter dated November 2, 2004, providing notice of the availability of an update to the hearing file, with attachments, together with the affidavit of Nanette V. Gilles, in the captioned proceeding have been served on the following through electronic mail, with copies to follow by deposit in the NRC's internal mail system as indicated by a single asterisk, or through electronic mail, with copies to follow by deposit in the U.S. Mail, first class, as indicated by a double asterisk, this 2nd day of November, 2004:

Administrative Judge
Paul B. Abramson, Chair
Atomic Safety and Licensing Board Panel
Mail Stop: T-3F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001
(E-mail: PBA@nrc.gov)

Thomas S. O'Neill
Associate General Counsel
Exelon Nuclear
4300 Winfield Road
Warrenville, IL 60555
(E-mail: thomas.oneill@exeloncorp.com)

Administrative Judge
Anthony J. Baratta
Atomic Safety and Licensing Board Panel
Mail Stop: T-3F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001
(E-mail: AJB5@nrc.gov)

Office of the Secretary
ATTN: Docketing and Service
Mail Stop: 0-16C1
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555
(E-mail: HEARINGDOCKET@nrc.gov)

Administrative Judge**
David L. Hetrick
8740 East Dexter Drive
Tucson, AZ 85715
(E-mail: dlmwh@dakotacom.net)

Office of Commission Appellate
Adjudication*
Mail Stop 0-16C1
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Atomic Safety and Licensing Board*
Mail Stop: T-3F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Howard A. Learner
Ann Alexander
Shannon Fisk
Environmental Law and Policy Center
35 East Wacker Drive, Suite 1300
Chicago, Illinois 60601
(E-mail: hlearner@elpc.org,
aalexander@elpc.org, sfisk@elpc.org)

Diane Curran
Harmon, Curran, Spielberg
& Eisenberg LLP
1726 M. Street N.W., Suite 600
Washington, D.C. 20036
(E-mail: dcurran@harmoncurran.com)

Dave Kraft
Executive Director, Nuclear Energy
Information Service
PO Box 1637
Evanston, IL 60204-1637
(E-mail: neis@neis.org)

Michele Boyd
Legislative Representative, Public Citizen
215 Pennsylvania Avenue, SE
Washington, D.C. 20003
(E-mail: mboyd@citizen.org)

Stephen P. Frantz
Paul M. Bessette
Alex S. Polonsky
Morgan, Lewis & Bockius, LLP
1111 Pennsylvania Avenue, N.W.
Washington, D.C. 20004
(E-mail: sfrantz@morganlewis.com,
pbessette@morganlewis.com,
apolonsky@morganlewis.com)

Janet Marsh Zeller, Executive Director
Blue Ridge Environmental Defense League
P.O. Box 88
Glendale Springs, NC 28629
(Email: bredl@skybest.com)

Paul Gunter
Director, Reactor Watchdog Project
Nuclear Information and Resource Service
1424 16th Street, N.W. #404
Washington, D.C. 20036
(E-mail: nirsnet@nirs.org)

/RA/

Shana Zipkin
Counsel for NRC Staff